

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
NEWPORT NEWS DIVISION**

**In re: Jonathan Bryan Shain**

**Case No. 13-50482-SCS  
Chapter 13**

**Debtor**

**OBJECTION TO CONFIRMATION OF THE CHAPTER 13 PLAN  
BY THE STANDING TRUSTEE AND  
NOTICE OF OBJECTION TO CONFIRMATION OF THE CHAPTER 13 PLAN  
BY THE STANDING TRUSTEE AND  
NOTICE OF HEARING**

*OBJECTION TO CONFIRMATION:*

Michael P. Cotter, Chapter 13 Standing Trustee, respectfully objects to confirmation by the Court of a Plan submitted by the above debtor, filed, April 30, 2013, on the following grounds, to-wit:

Paragraph 11 of the Debtors' Plan proposes a step increase in July, 2013 based on Mrs. Shain gaining employment. At the Section 341 Hearing, the Trustee requested a status report as to the anticipated employment; however, the Debtors have failed to provide same. It appears that Mrs. Shain has not gained employment at this time and as such, the Debtors will be unable to increase the Plan payments as proposed. The Trustee is concerned about the feasibility of this Plan.

WHEREFORE, the Standing Trustee objects to confirmation of the proposed Chapter 13 Plan.

Warren A. Uthe, Jr., Esq.  
VSB #45116  
Counsel for  
Michael P. Cotter  
Chapter 13 Standing Trustee  
870 Greenbrier Circle, Suite 402  
Chesapeake, VA 23320  
(757) 961-3000

*NOTICE OF OBJECTION TO CONFIRMATION:*

Michael P. Cotter, Chapter 13 Standing Trustee, has filed papers with the Court objecting to confirmation of your Chapter 13 Plan dated, April 30, 2013, which was filed in this bankruptcy case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to grant the relief sought in the Objection or if you want the Court to consider your views on the Objection, then you or your attorney must:

**Attend the HEARING** scheduled to be held on **June 14, 2013 at 9:30 a.m.** The hearing will be held in United States Bankruptcy Court for the Eastern District of Virginia, Newport News Division, 2400 West Avenue, Newport News, Virginia.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Local Bankruptcy Rule 3015-2(D)(3) provides that as soon as possible after the filing of an objection, counsel are directed to communicate in an effort to settle the objection well in advance of any scheduled hearing on objection to confirmation.

Warren A. Uthe, Jr., Esq.  
VSB #45116  
Counsel for  
Michael P. Cotter  
Chapter 13 Standing Trustee  
870 Greenbrier Circle, Suite 402  
Chesapeake, VA 23320  
(757) 961-3000

*NOTICE OF HEARING ON OBJECTION:*

**NOTICE IS HEREBY GIVEN** that a **HEARING** on the foregoing Objection to Confirmation will be convened on **June 14, 2013 at 9:30 a.m.** The hearing will be held in United States Bankruptcy Court for the Eastern District of Virginia, Newport News Division, 2400 West Avenue, Newport News, Virginia.

/s/ Warren A. Uthe, Jr., Esq.  
Warren A. Uthe, Jr., Esq.  
Counsel For  
Michael P. Cotter  
Chapter 13 Standing Trustee

**CERTIFICATION**

I hereby certify that a copy of this Objection to Confirmation, and Notice was mailed on June 07, 2013, to attorney for the debtor, Steve C Taylor, Esquire, 133 Mt Pleasant Rd, Chesapeake, VA 23322; and to the debtor, Jonathan Bryan Shain, 842 Thames Drive, Hampton, VA 23666.

/s/ Warren A. Uthe, Jr., Esq.  
Warren A. Uthe, Jr., Esq.  
Counsel For  
Michael P. Cotter  
Chapter 13 Standing Trustee

Warren A. Uthe, Jr., Esq.  
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